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**FROM**       **NAME:**                           James R. Miner, Reg. No. 40,444

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1. Information Disclosure Statement and Form PTO-1449 (8 pages);
2. Certificate of Transmission (1 page); and
3. Fax Cover Sheet (1 page).

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PATENT  
Attorney Docket No. 72167.000061  
Serial Number: 09/204,390

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
Deborah EVERLING )  
Serial No.: 09/204,390 ) Art Unit: 3628  
Filed: December 2, 1998 ) Examiner: Richard FULTS

For: "MERCHANT TRANSACTION DATA MINING METHOD"

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**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicant respectfully requests consideration of the references listed on the attached Form PTO-1449. Applicant respectfully requests that the Examiner consider the references cited on the PTO-1449 and that the Examiner indicate that the references have been considered in this application by returning a copy of the Form PTO-1449 with the Examiner's initials in the left column per MPEP 609.

This Information Disclosure Statement is being submitted after the mailing of a non-final Office Action, but is believed to be prior to a final Office Action or a Notice of Allowance.

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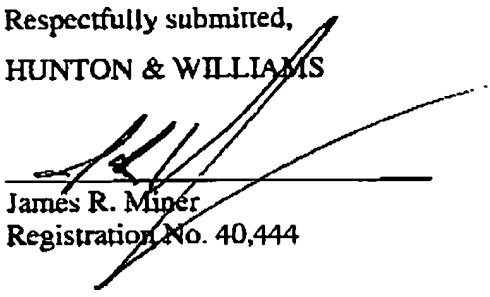
PATENT  
Attorney Docket No. 72167.000061  
Serial Number: 09/204,390

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Respectfully submitted,  
HUNTON & WILLIAMS

Date: 4/29/05

By:

  
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Attorney Docket No. 72167.000061  
Application Serial No: 09/204,390

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FORM PTO-1449 (Modified)  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

72167.000061

APPLICATION NO.

09/204,390

## LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT

Deborah EVERLING

FILING DATE

December 2, 1998

GROUP

3628

## U.S. PATENT DOCUMENTS

Init	Cita.No.	Patent No.	Date	Patentee
	1	4254474	1981-03-03	Cooper et al.
	2	4355372	1982-10-19	Johnson et al.
	3	4396985	1983-08-02	Ohara
	4	4567359	1988-01-28	Lockwood
	5	4723212	1988-02-02	Mindrum et al.
	6	4745468	1988-05-17	Von Kohorn
	7	4750036	1988-05-14	Martinez
	8	4750119	1988-06-07	Cohen et al.
	9	4882675	1989-11-21	Nichtberger et al.
	10	4897811	1990-01-19	Scofield
	11	4906826	1990-03-06	Spencer
	12	4908761	1990-03-13	Tal
	13	4910672	1990-03-20	Off et al.
	14	4926255	1990-05-15	Von Kohorn
	15	4958375	1990-09-18	Reilly et al.
	16	4972504	1990-11-20	Daniel, Jr. et al.
	17	4992940	1991-02-12	Dworkin
	18	4999617	1991-03-12	Uemura et al.
	19	5025372	1991-06-18	Burton et al.
	20	5041972	1991-08-20	Frost
	21	5047614	1991-09-10	Bianco
	22	5117355	1992-05-26	McCarthy
	23	5128752	1992-07-07	Von Kohorn
	24	5173589	1992-12-22	Diehl et al.
	25	5173851	1992-12-22	Off et al.

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<b>FORM PTO-1449 (Modified)</b> <b>(REV. 7-80)</b>  <b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>LIST OF REFERENCES CITED BY APPLICANT</b>  (Use several sheets if necessary)	<b>ATTY. DOCKET NO.</b> 72167.000061	<b>APPLICATION NO.</b> 09/204,390
	<b>APPLICANT</b> Deborah EVERLING	
	<b>FILING DATE</b> December 2, 1998	<b>GROUP</b> 3628

## U.S. PATENT DOCUMENTS

	26	5202826	1993-04-13	McCarthy
	27	5220501	1993-08-15	Lawlor et al.
	28	5233514	1993-08-03	Ayyoubi et al.
	29	5233654	1993-08-03	Harvey et al.
	30	5249044	1993-09-28	Von Kohorn
	31	5250789	1993-10-05	Johnsen
	32	5253066	1993-10-12	Vogel
	33	5260778	1993-11-09	Kauffman et al.
	34	5262860	1993-11-16	Fitzpatrick et al.
	35	5278751	1994-01-11	Adlano et al.
	36	5285278	1994-02-08	Holman
	37	5287181	1994-02-15	Holman
	38	5287268	1994-02-15	McCarthy
	39	5297026	1994-03-22	Hoffman
	40	5343239	1994-08-30	Lappington et al.
	41	5351186	1994-09-27	Bullock et al.
	42	5380991	1995-01-10	Valencia et al.
	43	5396417	1995-03-07	Burks et al.
	44	5442567	1995-08-15	Small
	45	5444844	1995-08-22	Inoue et al.
	46	5488423	1996-01-30	Waikingshaw et al.
	47	5488571	1996-01-30	Jacobs et al.
	48	5490080	1996-02-06	Malec et al.
	49	5491838	1996-02-13	Takahisa et al.

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			<b>APPLICANT</b> Deborah EVERLING	
	<b>LIST OF REFERENCES CITED BY APPLICANT</b> (Use several sheets if necessary)		<b>FILING DATE</b> December 2, 1998	<b>GROUP</b> 3628

## U.S. PATENT DOCUMENTS

Init	Cite.No.	Patent No.	Date	Patentee
	1	5500514	1996-03-19	Veeneman et al.
	2	5500681	1996-03-19	Jones
	3	5504519	1996-04-02	Remillard
	4	5508731	1996-04-16	Kohorn
	5	5513102	1996-04-30	Aurilemma
	6	5513117	1996-04-30	Small
	7	5521363	1996-05-28	Tannenbaum
	8	5523794	1996-06-04	Mankovitz et al.
	9	5537314	1996-07-16	Kanter
	10	5551021	1996-08-27	Harada et al.
	11	5563933	1996-10-08	August et al.
	12	5564073	1996-10-08	Takahisa
	13	5570295	1996-10-29	Isenberg et al.
	14	5594493	1997-01-14	Nemirofsky
	15	5603025	1997-02-11	Tabb et al.
	16	5604542	1997-02-18	Dedrick
	17	5612888	1997-03-18	Off et al.
	18	5634101	1997-05-27	Blau
	19	5652602	1997-07-29	Fishman et al.
	20	5664115	1997-09-02	Fraser
	21	5665953	1997-09-09	Mazzamuto et al.
	22	5671267	1997-09-23	August et al.
	23	5671409	1997-09-23	Fatseas et al.
	24	5682524	1997-10-28	Freund et al.
	25	5689100	1997-11-18	Canithers et al.

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		72167.000061	09/204,390
		APPLICANT	
		Deborah EVERLING	
LIST OF REFERENCES CITED BY APPLICANT  (Use several sheets if necessary)		FILING DATE	GROUP
		December 2, 1998	3628

## U.S. PATENT DOCUMENTS

	26	5710886	1998-01-20	Christensen et al.
	27	5715402	1998-02-03	Popolo
	28	5721831	1998-02-24	Waits et al.
	29	5724424	1998-03-03	Gifford
	30	5727163	1998-03-10	Bezos
	31	5749178	1998-05-12	Garnong
	32	5758328	1998-05-26	Giovannoli
	33	5761647	1998-08-02	Boushy
	34	5761661	1998-08-02	Coussens et al.
	35	5765143	1998-06-09	Sheldon et al.
	36	5767896	1998-06-16	Nemirofsky
	37	5787403	1998-07-28	Randle
	38	5794178	1998-09-11	Caid et al.
	39	5794207	1998-04-11	Walker et al.
	40	5806044	1998-08-08	Powell
	41	5806045	1998-09-08	Bjorge et al.
	42	5815127	1998-09-29	Jacobs et al.
	43	5819092	1998-10-06	Ferguson et al.
	44	5819285	1998-10-06	Damico et al.
	45	5832457	1998-11-03	O'Brien et al.
	46	5835087	1998-11-10	Herz et al.
	47	5842178	1998-11-24	Giovannoli
	48	5845259	1998-12-01	West et al.
	49	5862223	1999-01-19	Walker et al.
	50	5870721	1999-02-09	Norris

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Deborah EVERLING

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December 2, 1998

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3628

## U.S. PATENT DOCUMENTS

Init	Cite.No.	Patent No.	Date	Patentee
	1	5870724	1999-02-09	Lawlor et al.
	2	5873096	1999-02-18	Lim et al.
	3	5884278	1999-03-16	Powell
	4	5887271	1999-03-23	Powell
	5	5890135	1999-03-30	Powell
	6	5899982	1999-05-04	Randle
	7	5918214	1999-06-29	Perkowski
	8	5930764	1999-07-27	Melchione et al.
	9	5940811	1999-08-17	Norris
	10	5950173	1999-09-07	Perkowski
	11	5970467	1999-10-19	Alavi
	12	5974398	1999-10-26	Anderson et al.
	13	5987434	1999-11-16	Libman
	14	5995942	1999-11-30	Smith et al.
	15	6014645	2000-01-11	Cunningham
	16	6026370	2000-02-15	Jermyn
	17	6029139	2000-02-22	Cunningham et al.
	18	6032125	2000-02-29	Ando
	19	6055510	2000-04-25	Henrick et al.
	20	6070147	2000-05-30	Harms et al.
	21	6078892	2000-06-20	Anderson et al.
	22	1245531	1917-06-20	Tinsley
	23	2152079	1839-03-28	Mott
	24	2986144	1861-05-30	Shepard
	25	4723212	1988-02-02	Mindrum et al.

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## U.S. PATENT DOCUMENTS

	26	5201010	1993-04-06	Deaton et al.
	27	5331544	1994-07-19	Lu et al.
	28	5576951	1996-11-19	Lockwood
	29	5581064	1996-12-03	Riley et al.
	30	5642279	1997-06-24	Bloomberg et al.
	31	5642485	1997-06-24	Deaton et al.
	32	5644723	1997-07-01	Deaton et al.
	33	5649114	1997-07-15	Deaton et al.
	34	5687322	1997-11-11	Deaton et al.
	35	5930217	1999-07-27	Kayanuma
	36	6073105	2000-06-06	Sutcliffe et al.
	37	6236978	2001-05-22	Tuzhilin
	38	Re34915	1995-04-25	Nichtberger et al.

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